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General Assembly

Fifty-second Session

Official Records

91st plenary meeting
Monday, 24 August 1998, 10 a.m.
New York

President: Mr. Udovenko ..... (Ukraine)

The meeting was called to order at 10.40 a.m.

Agenda item 120 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/52/785/Add.10)

The President: In a letter contained in document A/52/785/Add.10, the Secretary-General informs me that, since the issuance of his communications contained in document A/52/785 and addenda 1 to 9, Chad and the Niger have made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 59 (*continued*)

Question of equitable representation on and increase in the membership of the Security Council and related matters

Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council (A/52/47)

Draft decision (A/52/47, para. 24)

The President: The provisional version of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council has been distributed to delegations in document A/52/47. I should like to inform delegations that the final version of the report of the Working Group will contain the text of document A/AC.247/1998/WP.1/Rev.2 and of corrigendum 1, which are also before the Assembly.

As representatives are aware, document A/AC.247/1998/WP.1/Rev.2 has been available to delegations since last Thursday; the corrigendum was made available this morning.

In connection with this item, the Assembly has before it a draft decision the text of which is contained in paragraph 24 of document A/AC.247/1998/WP.1/Rev.2.

May I take it that the General Assembly decides to adopt the draft decision?

The draft decision was adopted.

Mr. Henze (Germany): My delegation welcomes the fact that the item on the reform of the Security Council is again on the General Assembly's agenda, both earlier today in the meeting of the Working Group dealing with this matter and now in plenary. The item remains of the utmost importance to the Organization. It is, in our view, a key element. The rationale which started the whole

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discussion five years ago has not changed. Without a reform of the Security Council, the Organization will not be able to cope with the challenges of the next millennium. If the composition of the Council continues to exclude permanently important global players and more representative structures, the Council is bound to lose its credibility and, consequently, its authority.

Let me thank you, Sir, and both your Vice-Chairmen, Ambassador Breitenstein and Ambassador Jayanama, for your guidance and personal involvement in this year's deliberations of the Working Group and in all efforts deployed towards advancing its work further. Chairing this Working Group does not seem to have been an easy, much less a rewarding task.

My delegation cannot and does not want to conceal the fact that the contents of the report and the ways the report had to be agreed are reasons for concern and disappointment to us.

This year's report is, to put it mildly, a rather thin document, not to use the expression "dull", which others have used in this regard. Though it includes some helpful annexes, the report lacks even the slightest analytical element and any kind of road-map for the future. My delegation, supported by others, has tried to argue in favour of an additional recommendation which would have simply read:

> "The General Assembly encourages the Working Group to come to a meaningful solution before the end of this millennium."

The proposal could not have been more modest in essence and form. Several other delegations, among them Côte d'Ivoire, Croatia and Yemen, have offered language along similar lines. None of these constructive ideas were acceptable to the entirety of delegations.

Sometimes it seems that the Working Group has turned into a body which is aiming rather at preventing Security Council reform than at making it happen; a Working Group in which a minority does not even agree to a modest encouragement to making progress in its work after more than five years; a Working Group some of whose members threaten an envisaged assessment of its elected Vice-Chairmen with so-called "counter-assessments"; and a Working Group in which the silent majority, which is in favour of an enlargement in both categories, starts to prefer not to take the floor because of increasingly bitter procedural infights. Such a Working Group is about to lose its reason for being. It confirms, I am afraid, all the negative outside perceptions from which the United Nations is suffering, with the well-known damaging effects.

Let me end on a positive note. First, the only comprehensive reform proposal of the Chairman in last year's report — document A/51/47, Supplement No. 47, annex II — continues to be on the table. No other comprehensive proposal has been made since March 1997 to replace it. Moreover, the results of the consultations of the Vice-Chairmen with 165 Member States — as reported in annex VII of the same document — continue to be of significance. Secondly, this year's discussions have made it clear what the Working Group can achieve and what it cannot. Everyone is free to draw his own conclusions from that.

Mr. Fulci (Italy): The discussion in the Open-ended Working Group on Security Council reform this year demonstrated, in our opinion, that, while a wide convergence of views clearly exists on such issues as the working methods of the Security Council — the so-called "cluster II" — on the issue of the enlargement of the Council positions remain far apart and far from the general agreement called for by resolution 48/26.

I must say, we are also very grateful to you, Sir, for having corrected an essential omission in the document by reinstating this morning the sentence according to which "all proposals remain on the table".

If you will allow me, I should like to summarize very briefly one particular point to which the Italian delegation attaches great importance: the question of the majority required for taking decisions on Security Council reform. A very large majority of Member States supported the approach whereby any decision on Security Council reform with Charter-amendment implications must be adopted by a majority of two thirds of United Nations Member States, as referred to in Article 108 of the United Nations Charter. This, by the way, was the position expressed by the Non-Aligned Movement at its Ministerial Meeting in Cartagena in May 1998.

I must say that we listened with great attention and only a very few delegations maintained in the Working Group this year that resolutions not containing amendments to the United Nations Charter should be adopted by a majority of two thirds of those present and voting, as referred to in Article 18 of the United Nations Charter.

The Italian delegation objects to the approach of utilizing the two-thirds majority, underlining how it would be simply unthinkable, as has been pointed out by other delegations, that the establishment of new permanent members could be brought about exactly by the same majority needed to elect a member of the Economic and Social Council — that is, two thirds of those present and voting.

There was also discussion in the Working Group of whether the reform should take place in one stage, as a large number of delegations — including, of course, our own — have argued, or in several stages, as envisaged in the approach put forward by a former President of the General Assembly.

The definition of "general agreement", as called for in resolution 48/26, was also discussed. Many delegations indicated that this concept falls somewhere between consensus and a majority of two thirds of Member States. Many delegations indicated that, in any case, general agreement is a concept that goes well beyond a majority of two thirds of United Nations Member States, which, as Members know, is 124. A few delegations indicated that "general agreement" corresponds to two thirds of United Nations Member States.

We regret that one delegation, and one delegation only, objected in the end to encouraging the achievement of general agreement on the reform of the Security Council, as mandated by the General Assembly, before the millennium. We were ready, as the Assembly may remember, to approve that.

In conclusion, we think that, while real progress appears to have been made on cluster II, positions on enlargement remain very far apart.

We welcome the fact that the report recommends to the General Assembly that the Open-ended Working Group should carry on its work at the next session of the Assembly, and we hope that the time will come when a real general agreement can be reached either on a system providing for rotating seats for all regional groups — following the example set by the African Group's common position — or, for the time being, on an expansion of non-permanent seats only.

Mr. Pérez-Otermin (Uruguay) (*interpretation from Spanish*): On various occasions we have said that the work of the Working Group on Security Council reform is one of the most sensitive and most difficult issues on which to arrive at a consensus. Therefore, we want to express well-deserved thanks to you, Mr. President, for having personally taken on the task of chairing the meetings of the Working Group, as well as to the two Vice-Chairmen.

We are convinced that the work of the President should be to continually seek consensus. We have no doubt that this has been done both by you, Mr. President and by the Vice-Chairmen. We believe that your actions have always been guided by the principle of good-faith relations and good-faith attempts to achieve consensus in the Working Group, which as we said, is a very sensitive and difficult undertaking.

Mr. Patriota (Brazil): Like the representative of Uruguay and previous speakers, we would also like to thank you, Mr. President, for the interest you have taken in our deliberations and for being here today, as well as to thank the two Vice-Chairmen and the Secretariat for their good work.

We would also like to take this opportunity to place on record a few points which we regard as very important. As we stated at the beginning of this year's session, we do not believe that there is any need for additional exploratory debates on Security Council reform in the United Nations. Our report has adopted a recommendation to the effect that the Working Group continue its work for another year. We must not allow this extra time to be wasted on meaningless discussions. The extensive work carried out under the able guidance of five successive Presidents of the General Assembly, with the assistance of an extremely competent Bureau, has already produced a sufficiently solid foundation for negotiations to begin on a reform package. It would be most regrettable if the United Nations were to look back on the 1990s as a decade of lost opportunities.

If we wish to complete the reform process which was so successfully initiated under the leadership of Secretary-General Kofi Annan and the current presidency of the General Assembly, we must not let that happen. We are not operating in a vacuum, and world opinion is becoming increasingly impatient in the face of a growing perception that the United Nations is "shirking the big questions", to cite an article published only two weeks ago in the British magazine *The Economist*.

The same article clearly places the blame for this state of affairs on Member States, as it speaks of relentless politicking about the Security Council's

anachronistic composition. It goes on to argue that any debate on Security Council reform which does not address the need to widen the permanent member category with the presence of developing countries will lack meaning.

A very large majority of Member States favours an increase in both the permanent and non-permanent membership of the Security Council, and this majority believes that there should be new permanent members from both the developing and the industrialized world. A few important delegations may hold singular views, but it is clear where the centre of gravity for intensified negotiating efforts lies. And the debates in the Working Group during 1998 have only helped to reconfirm a picture that has gradually emerged with increasing clarity.

Brazil is ready to work on an intensified basis in order to reach a comprehensive plan on Security Council reform, as well as on other matters that require action, so that the United Nations may begin to equip itself for the new millennium.

The contours of a shared platform are known to us. It is widely thought that in order to increase its legitimacy and representativeness without compromising its effectiveness, the Security Council should be expanded so as to reflect both the new world realities and the increasing role of developing countries in world affairs. To that effect, the Council should be expanded in both categories of members, with adequate participation of developing countries in the permanent and non-permanent categories on a non-discriminatory basis.

The reform of the Security Council should also comprise a fair review mechanism, adequate provisions relating to the decision-making process and rules that ensure its transparent functioning.

The Open-ended Working Group must aim at putting forward concrete proposals as a matter of urgency, taking into account the need for general agreement.

There can be no justification for indefinitely prolonging our discussions. We must face up to the challenge that we freely presented ourselves with when we adopted resolution 48/26 by consensus on 3 December 1993. We must not let ourselves be delayed by the short-sighted attitude of those who seem intent upon systematically impeding progress and preventing a commonly conceived project from seeing the light of day.

History may not forgive us collectively if we fail to deliver on our commitment to preserve and strengthen the only universally recognized instrument of collective security at our disposal. History may not forgive us if we continue to postpone decision on a long-awaited reform of the Security Council, widely regarded as an essential means for the United Nations to be able to remain a guardian of peace through multilateral cooperation.

The alternative would be the weakening of the prestige and credibility of the United Nations, the increased resort to unilateral action and a return to crude power politics. No one can wish that to happen.

Mr. President, you have often reminded us during the current year that United Nations reform will not be complete without Security Council reform. We believe you are correct, and the time for completing United Nations reform is now.

Mr. Tello (Mexico) (*interpretation from Spanish*): I will limit my comments to thanking you, Mr. President, for your participation in and guidance of our work. I also thank our two Vice-Chairmen and the staff members of the Secretariat who have assisted us throughout our meetings.

My delegation will give its assessment of this issue and of what has been achieved over the past year when this item is discussed at the fifty-third session of the General Assembly. I assure you, Mr. President, that Mexico will continue to participate actively in the work of the Working Group, and will do so in conformity with the Group's mandate from the General Assembly to reach a general agreement on proposals that would be submitted to the Assembly and that would be acceptable to the international community.

I wish in conclusion to associate myself completely with the statement made today by the representative of Italy.

Mr. Kamal (Pakistan): The understanding of the delegation of Pakistan of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council is identical to the assessment by the representative of Italy. We look forward to a resumption of work next year and will continue to collaborate with all others in the Working Group during the next session, and beyond if necessary, in the search for solutions for

Security Council reform which command general agreement, as called for in the mandate of the Working Group.

Mr. Verdier (Argentina) (*interpretation from Spanish*): My delegation echoes the gratitude that other delegations have expressed to you, Mr. President, for the way in which you have guided our discussions of this sensitive issue. We have no doubt that your chairmanship will be remembered for its great objectivity.

We agree with other delegations also that we must achieve much-needed reform of the Security Council as soon as possible. We urge all delegations to work together towards a general agreement. Only in that way can we achieve Council reform "through a process whose results have not only legal validity but also political legitimacy" [A/52/347, annex II, para. 5], to use the words of the Declaration on the Strengthening of the United Nations and the Reform of the Security Council, adopted at the Eleventh Summit of Heads of State and Government of the Rio Group, which met at Asunción, Paraguay, in August 1997.

Mr. Nour (Egypt) (*interpretation from Arabic*): On behalf of the Egyptian delegation and of the Movement of Non-Aligned Countries, Mr. President, I thank you and the other officers of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council for your efforts over the past year to achieve results.

My delegation has enunciated the position of the non-aligned countries on several occasions during this session, and that position has also been set out clearly in numerous documents. There is no doubt that the Durban summit of the Movement will be an important forum for formulating and highlighting our positions; we look forward to the results of that summit and to what will be agreed upon by non-aligned heads of State. These positions will be stated at the fifty-third session of the General Assembly.

Mr. Wehbe (Syrian Arab Republic) (*interpretation from Arabic*): I wish to express my warm thanks to you, Mr. President, and to the Vice-Chairmen of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council for your efforts during the Group's deliberations. With respect to the report of the Working Group, we note that the statement made this morning by the representative of Italy is in line with the views stated by the representative of Egypt as coordinator of the Movement of Non-Aligned Countries. The report of the Working Group is in line with positions previously stated by the Movement through statements by the delegations concerned.

Mr. Kerma (Algeria) (*interpretation from French*): I wish to join other delegations in congratulating you, Mr. President, and in thanking you for the way in which you have guided our work at this session. I also thank the Vice-Chairmen of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, who carried out very significant and important work in a highly objective manner. As to the report of the Working Group, the position of my delegation fully accords with that stated by the representative of Italy and by the representative of Egypt on behalf of the Movement of Non-Aligned Countries. This very important document will undoubtedly be considered at the summit meeting of the Non-Aligned Movement. My delegation considers that the document must be adopted by consensus.

The President: The General Assembly has just taken a decision by which it draws the line under yet another year of deliberations on matters relating to the comprehensive transformation of the United Nations organ that is entrusted with primary responsibility for the maintenance of international peace and security. We have heard statements by a number of representatives evaluating the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

In anticipation of this moment, it was not an easy task for me to decide what should be said and should not be said on such a topic as the reform of the Security Council. This is probably one of the most difficult issues that the United Nations has tackled in its history, and it is certainly one of the thorniest items on its agenda at the end of the century.

Being the Chairman of the Open-ended Working Group mandated to deal with this matter, and having chaired personally a substantial number of its meetings, I had the opportunity to follow closely every development in this process.

As was the case during the four previous sessions of the General Assembly, tremendous efforts have been made this year to comprehensively explore different aspects of the reform. The rather bulky 77-page report of the Open-ended Working Group is a striking illustration of the extensive discussions which took place during the fifty-second session of the Assembly.

It is also worth noting that the Working Group met a record number of times this year: it held 56 meetings during the Assembly's current session.

While progress has been made in some areas and new ideas and proposals have emerged, at this point there is no compelling evidence to believe that the meetings of the Working Group have yielded a breakthrough in the reform exercise. Moreover, the Working Group once again appeared not to be in a position to submit to the General Assembly any agreed recommendations on the substance of this matter, except that it should continue its work during the next session.

I shall not dwell on the reasons why this did not occur. All of you are perfectly aware of the major stumbling blocks which have prevented the Working Group from agreeing on anything, even on mere encouragement to bring its work to a conclusion before the end of the millennium. These stumbling blocks include opposition to the creation of new permanent seats, disagreement over the size of an enlarged Council, different approaches to the issue of rotational arrangements for new permanent seats and, finally, considerable differences on the problem of veto right with respect to both current and prospective permanent members.

It is indeed a fact that all those problems continue to exist. One could argue that perhaps, given the fundamental nature of the differences over Security Council reform, no preconditions exist at the current stage that could lead to a breakthrough in their reconciliation. The response to those arguments should be rather straightforward: we should bear in mind that there is no single man-made problem which cannot be solved by human beings.

In the early days of the United Nations, Ralph Bunche, a faithful and ardent servant of the Organization, pointed out a fundamental *raison d'être* of the world body. He said:

> "The United Nations exists not merely to preserve the peace, but also to make change — even radical change — possible without violent upheaval."

The United Nations has always striven to make that noble design a reality not only in word, but also in deed. By agreeing to establish the International Criminal Court, just to cite the latest example, Member States have provided convincing proof that they are able to take courageous steps which are not restricted to narrow national considerations.

As far as Security Council reform is concerned, what is indeed unfortunate is that the lack of practical results from the intensive discussions could leave the outside world with a perception that this reform exercise merely reflects conflicting interests between different groups in pursuit of their own goals. International public opinion could be left with an impression that one group is striving to transform its apparent international prestige into sound results within the United Nations system. However, another group would appear determined, for different reasons, to prevent any such transformation. And still another group appears to be sparing no efforts to preserve the existing situation.

But it is absolutely not to satisfy these interests that this reform exercise was initiated. It would be deplorable indeed if even the participants in the decision-seeking process themselves understood this reform only from that perspective. Should that be the case, one could only assert that the final outcome of this endeavour would not only be to little avail, but could perhaps even have damaging consequences for the Organization.

When interests collide, we must have a clear consensus on which should prevail. In the deliberations regarding Security Council reform there should be only one predominant interest, that is, to enhance the relevance of the United Nations for the requirements of a changing world and to ensure that it can more effectively and efficiently meet the challenges looming as we enter a new century.

As far back as almost three years ago, Member States of the Organization, representing the peoples of the world, acknowledged in the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations the existence of important differences on key issues relating to Security Council reform. However, they expressed their position in the most unambiguous manner by declaring that the Security Council should

> "be expanded and its working methods continue to be reviewed in a way that will further strengthen its capacity and effectiveness, enhance its

representative character and improve its working efficiency and transparency" [*resolution 50/6, para. 14*].

At that time, Member States required further in-depth consideration of the issues relating to Security Council reform which, they expected, could help to overcome the existing differences. However, nobody would assume that the intent of the authors of that Declaration was to assign a permanent status to the Open-ended Working Group as the only outcome of its deliberations and the best alternative to the preservation of the status quo in the Security Council. Nor let us believe that this is now the intention of the General Assembly, even though it has just decided that the Working Group should continue its work during the fifty-third session.

It is therefore likely that the next session of the General Assembly may pose some difficult questions for delegations. It is quite possible that they may be challenged with the need to give an answer to whether the exploration of different aspects of this reform should not be brought to an end in one form or another.

If there is still a need for something to be explored after five years of intensive discussions, perhaps it is our ability to see beyond our national interests and our aptitude to measure this reform against the historical imperatives of today's world. That could well be another crucial question that may confront the Assembly at its next session.

As for this session, we are concluding the consideration of this item without having achieved the sound results that are so necessary to strengthen the United Nations at this crucial time in its post-cold-war existence.

If those who follow us succeed in this endeavour to reform the Security Council, we could rightly say that by working hard and tenaciously we had paved the way for that accomplishment. If they should fail, however, we should accept our share of the responsibility for that failure.

In conclusion, I should now like to join those representatives who expressed their sincere thanks to Ambassador Wilhelm Breitenstein of Finland and Ambassador Asda Jayanama of Thailand, the two Vice-Chairmen of the Open-ended Working Group, who have continued during the fifty-second session the challenging task of conducting the discussions and complex negotiations of the Working Group.

I should like also to thank the Secretariat for its substantive and organizational support for the activities of our Working Group. Nor can I fail to express my deep gratitude to the delegations that addressed kind words to me.

As I had mentioned at the meeting of the Working Group at which we agreed to hold today's meeting, today is a national holiday in Ukraine. It is thus a very nice gift that we have adopted a report and reached a consensus on the fact that the Working Group should continue its activities.

May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 59?

It was so decided.

The meeting rose at 11.30 a.m.